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Hearing Date: February 22, 2024
Hearing Time: 10:00 a.m.
Objection Date: February 15, 2024

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re

**ZHANG MEDICAL P.C. d/b/a New Hope
Fertility Center,**

Debtor.

Chapter 11

Case No. 23-10678

Judge Philip Bentley

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**NOTICE OF MOTION FOR ENTRY OF AN ORDER (I) PROVIDING RELIEF FROM
THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(d) AND (II) AUTHORIZING
THE PRODUCTION OF DOCUMENTS BY DEBTOR AND AN EXAMINATION OF
DR. JOHN ZHANG PURSUANT TO RULE 2004 OF THE FEDERAL RULES OF
BANKRUPTCY PROCEDURE**

PLEASE TAKE NOTICE, that upon the annexed application (the “Application”), dated January 10, 2024, and the supporting papers and exhibits filed in connection therewith, David Faux (“Movant”), who along with his former spouse were and remain customers of Zhang Medical P.C. d/b/a New Hope Fertility Center (“Debtor”), the debtor and debtor-in-possession in the above-captioned Chapter 11 case, by his attorneys, Bronster LLP, seeking the entry of an order: (i) pursuant to Sections 362(d) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 4001 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”), and S.D.N.Y. L.B.R. 4001-1, terminating the automatic stay for cause so that Movant may continue his state court proceeding as against Debtor that is pending in the Commonwealth of Pennsylvania which seeks information and cooperation from Debtor and may include a demand

for the turnover of certain biological material that is being stored by Debtor but which belongs to Movant and his former spouse, (ii) pursuant to Bankruptcy Rule 2004, authorizing the issuance and service of a subpoena on behalf of Movant and directing the production of documents from Debtor and Movant's examination of Debtor's principal, Dr. John Zhang, should such examination should be necessary, and (iii) granting such other and further relief as may be equitable and proper, there will be a hearing in the Courtroom of the Honorable Philip Bentley, United States Bankruptcy Judge at the United States Bankruptcy Court for the Southern District of New York, U.S. Courthouse, One Bowling Green, New York, New York 10004, Courtroom 601 (such hearing will be conducted via Zoom as set forth below) on the **22nd day of February, 2024, at 10:00 a.m.**, or as soon thereafter as counsel may be heard (the "Hearing Date").

PLEASE TAKE FURTHER NOTICE, that all hearings before Judge Bentley will be conducted remotely via Zoom until further notice. It is not necessary to contact the Courtroom Deputy to request prior authorization to appear remotely. Please use eCourt Appearances to register to appear at a hearing. To register, please provide your name, address, e-mail address, telephone number on the hearing date, and if appropriate, the party that you represent. **Please be sure to register at least two business days before your hearing.** You will receive instructions on how to access the remote hearing via e-mail before the hearing. On your hearing date, please connect at least ten minutes before your scheduled hearing time, and keep your audio and video on mute until your case is called. If you have a CM/ECF account, you may access eCourt Appearances in the "Utilities" menu after logging into CM/ECF. If you do not have a CM/ECF account, you may access eCourt Appearances at <https://www.nysb.uscourts.gov/ecourt-appearances>. Additional information about eCourt Appearances, including a tutorial on how to use the program, is available at <https://www.nysb.uscourts.gov/ecourt-appearances>.

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the Application must be made in writing and filed with the Court and served upon and received by the undersigned no later than 5:00 p.m. on **February 15, 2024** (the “Objection Date”). If no objections are received by the Objection Date, the relief requested in the motion may be granted without a hearing.

Dated: New York, New York
January 10, 2024

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Attorneys for Movant

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